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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAMON DESAGE,
aka RAMON ABI-RACHED, aka,
RAYMOND ANTOINE ABI-RACHED,

Defendant.

2:13-cr-039-APG-VCF

SUPERSEDING
INDICTMENT

VIOLATIONS:

18 U.S.C. § 1343 - Wire Fraud, and
26 U.S.C. § 7201 - Income Tax Evasion.

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

Counts One through Four (Wire Fraud)

1. From on or about May 23, 2005, and continuing to on or about January 29, 2013, in the State and Federal District of Nevada,

RAMON DESAGE, aka
RAMON ABI-RACHED, aka RAYMOND ANTOINE ABI-RACHED,

1 defendant herein, did devise, intend to devise, and participate in a scheme and artifice to defraud
2 and for obtaining money and property by means of materially false and fraudulent pretenses,
3 representations and promises, which scheme and artifice involved Desage fraudulently obtaining
4 money from investors by falsely claiming that the money they provided him would be used for
5 business purposes when in fact, Desage intended to use the money primarily to pay off casino
6 debts, pay back other investors, and otherwise enrich himself.

7 2. It was part of the scheme and artifice that:

8 A. Desage represented to potential investors that he was in the wholesale distribution
9 business, and that he was able to purchase luggage, hand soap and other assorted items at a
10 discount and could resell these items at a substantial profit.

11 B. In order to induce investors to provide him with substantial sums of money,
12 Desage falsely represented that he would use their investments solely to purchase product for
13 resale and for other business-related expenses, when he well knew that only a fraction of the
14 investors' money if any, would be used for the represented business purposes.

15 C. Desage concealed from investors the fact that he would use their investments to
16 pay off gambling debts at various Las Vegas casinos, to pay back other investors to whom he owed
17 money for their investments, to pay for luxury personal items for himself and others, and to make
18 payments to family members.

19 D. Within days of receiving investments of several million dollars from different
20 investors, Desage transferred portions of these funds to Las Vegas casinos to satisfy gambling
21 debts, and to pay to other investors to make it appear that he intended to pay them back in full,
22 when he well knew that these payments were made to induce the investors to make larger
23 investments with him.

24 E. Between January 2005 and June 2012, **Desage** received approximately \$190
25 million from investors, sent approximately \$175 million to casinos for gambling purposes, and
26 failed to repay his investors their principal and promised rates of return.

3. For the purpose of executing the scheme and artifice to defraud, and attempting to do so, on or about the dates set forth below,

**RAMON DESAGE, aka
RAMON ABI-RACHED, aka RAYMOND ANTOINE ABI-RACHED,**

defendant herein, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce certain writings, signs, signals, and pictures, that is, on the dates set forth below, **Desage** sent and received the communications described below, to and from the individuals and locations described below, with each wire transmission constituting a separate violation of Title 18, United States Code, Section 1343:

Counts	Date	Description of Wire
1	1/5/2010	\$200,000 wire transfer from Cadeau Express account # xxxxxx6157 at Bank of Nevada to the Hard Rock Casino
2	3/2/2009	\$2,650,000 wire transfer from Investor #2 to Cadeau Express account # xxxxxx6157 at Bank of Nevada
3	1/15/2010	\$1,750,000 wire transfer from Investor #3 to Cadeau Express account # xxxxxx6157 at Bank of Nevada
4	1/17/2012	\$10,500,000 wire transfer from Investor #4 to Beryt account # xxxxxx6408 at Bank of Nevada

COUNTS FIVE - EIGHT

Income Tax Evasion

On or about August 10, 2007, through on or about October 20, 2010, in the District of Nevada and elsewhere,

**RAMON DESAGE,
aka RAMON ABI-RACHED, aka RAYMOND ANTOINE ABI-RACHED,**

defendant herein, did willfully attempt to evade and defeat the payment of a large part of the income tax due and owing by him for tax years 2006-2009 to the United States of America by

concealing and attempting to conceal from the Internal Revenue Service the nature and extent of his assets and the location thereof; making false statements to agents of the Internal Revenue Service; substantially under-reporting taxable income and tax due; concealing true income and expenses by falsifying books and records; classifying personal expenses as business expenses; and, falsely classifying book transfers between companies as purchases; defendant's willful attempt to evade taxes due for each tax year constituting a separate charge against defendant as provided in the chart below:

Count	Year	Taxable Income Per Return	Approximate Unreported Taxable Income	Approximate Tax Loss
Five	2006	\$293,000	\$19,207,230	\$ 7,180,366
Six	2007	\$491,510	\$27,739,707	\$ 9,721,486
Seven	2008	\$254,296	\$30,548,028	\$10,683,986
Eight	2009	\$440,216	\$ 9,685,757	\$3,343,609
	Total		\$87,180,722	\$30,929,447

All in violation of Title 26, United States Code, Section 7021.

FORFEITURE ALLEGATION ONE (Wire fraud)

1. The allegations contained in Counts One through Four of this Criminal Indictment are hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any felony offense charged in Counts One through Four of this Criminal Indictment,

RAMON DESAGE, aka
RAMON ABI-RACHED, aka RAYMOND ANTOINE ABI-RACHED,

defendant herein, shall forfeit to the United States of America, any property, real or personal,

1 which constitutes or is derived from proceeds traceable to violations of Title 18, United States
 2 Code, Section 1343, a specified unlawful activity as defined in Title 18, United States Code,
 3 Sections 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offenses, an in personam
 4 criminal forfeiture money judgment of \$191,000,000.00 in United States Currency, including:

- 5 a. \$158,677.17 in United States Currency;
- 6 b. \$761,515.36 in United States Currency; and
- 7 c. \$844,586.92 in United States Currency.

8 3. If any property being subject to forfeiture pursuant to Title 18, United States Code,
 9 Section 981(a)(1)(C)) and Title 28, United States Code, Section 2461(c)), as a result of any act or
 10 omission of the defendant –

- 11 a. cannot be located upon the exercise of due diligence;
- 12 b. has been transferred or sold to, or deposited with, a third party;
- 13 c. has been placed beyond the jurisdiction of the court;
- 14 d. has been substantially diminished in value; or
- 15 e. has been commingled with other property that cannot be divided without

16 difficulty;

17 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section
 18 853(p), to seek forfeiture of any properties of the defendant for an in personam criminal forfeiture
 19 money judgment of \$191,000,000.00 in United States Currency.

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1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C)) and Title 28, United
2 States Code, Section 2461(c)); Title 18, United States Code, Section 1343, a specified unlawful
3 activity as defined in Title 18, United States Code, Sections 1956(c)(7) and 1961(1)(B); and Title
4 21, United States Code, Section 853(p).

5
6 DATED: this 30th day of July, 2013

7 A TRUE BILL:

8
9 /s/
FOREPERSON OF THE GRAND JURY

10 DANIEL G. BOGDEN
United States Attorney

11 *J. Gregory Damm*

12 J. GREGORY DAMM
13 CRANE M. POMERANTZ
Assistant United States Attorneys